

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

NAZEER SMITH,

Plaintiff,

v.

C/O GROVES and C/O BOWERMAN,

Defendants.

Case No. 3:15-cv-1138-NJR-DGW

ORDER

WILKERSON, Magistrate Judge:

Now pending before the Court is the Motion for Sanctions filed by Plaintiff, Nazeer Smith, on January 4, 2017 (Doc. 29). The Motion is **DENIED**.

Defendants have sought two extensions of time to respond to interrogatories served by Plaintiff but which, according to Defendants, were undated and did not include a certificate of service (Docs. 27 and 30). The extensions were granted and Defendants' responses are due by January 6, 2017 (Doc. 31). Plaintiff, however, asserts that he did attach a certificate of service to the discovery requests, which included a request to produce. Thus, Plaintiff argues that Defendants are providing false and misleading statements to the Court. Counsel for Defendant is an officer of the court and is presumed to be truthful in his representations to the Court. There is no showing of prejudice as a result of the dispute regarding the certificate of service. Sanctions will not issue.

DATED: January 5, 2017



DONALD G. WILKERSON
United States Magistrate Judge